

COUNTY OF YORK

MEMORANDUM

DATE: March 20, 2000 (BOS Mtg. 4/2/00)

TO: York County Board of Supervisors

FROM: Daniel M. Stuck, County Administrator

SUBJECT: King George County Withdrawal from the Regional Detention Commission

Background

As the Board will recall, York County is a member of the Middle Peninsula Juvenile Detention Commission. This 19 locality Commission includes the 11 jurisdictions of the 9th Judicial District and the eight counties from the 15th District. A map listing and showing the geographic locations of the member jurisdictions is attached.

The Detention Commission owns and operates the Merrimac Center. This is a secure, 48 bed juvenile detention facility located adjacent to the Regional Jail on Rt. 143 in James City County. Each member of the Commission is obligated by a Joint Exercise of Powers Agreement to send its juveniles to the Merrimac Center and cannot withdraw from the Commission except by unanimous consent of the governing bodies of all member localities. Should the vote in any single jurisdiction be to deny the action, the request fails.

Current

King George County is located some two hours from the Merrimac Center. The City of Fredericksburg in conjunction with several nearby counties currently operates the Rappahannock Regional Detention Center. A new facility is being developed in Stafford County. This would give the necessary capacity for King George County uses and is much closer to that locality than the Merrimac Center. In addition, King George is a member of the regional jail, which adjoins the site of the new juvenile center. King George has asked to be released from the Middle Peninsula Juvenile Detention Commission in order to participate in Rappahannock Regional Juvenile Detention Commission (RJDC) and use the New Rappahannock Center.

Considerations

The local member jurisdictions and the Commonwealth shared the construction costs of the Merrimac Center. The local share was financed for a ten-year period. Amortization occurs through per diem fees paid by users of the Center. The costs have been allocated based on an expectation that each of the 19 member localities will place juveniles in that Center.

It is very likely that any beds freed by the withdrawal of King George County can be sold on a per diem basis to non-member localities. Over time, it is also likely that the re-

maintaining jurisdictions will need more bed space as juvenile populations and offenses grow.

In the meantime, King George has agreed to assure that there will be no financial impact on any other member locality by guaranteeing its portion of these costs. If the occupancy of the Merrimac Center falls below full occupancy, King George will be required to contribute at the prevailing daily rate for user. The fiscal liability is capped at 7.5% of the expenses for operations and debt service (net of state reimbursements) during a calendar year. To guarantee this, the King George County Board of Supervisors has voted to place \$250,000 in escrow until the debt is retired.

The attached resolution is a Joint Resolution of the Middle Peninsula and Rappahannock Juvenile Detention Commissions. The resolution provides for:

- the release of King George from the Middle Peninsula Juvenile Detention Commission and the transfer of that membership to the Rappahannock Commission
- the \$250,000 escrow account from King George as fiscal assurance and establishes a procedure to draw on that account
- this action to take effect when the new Rappahannock Center opens.

The identical resolution must be considered by each member locality of the Middle Peninsula Juvenile Detention Commission. For King George to be permitted to withdraw and join the Rappahannock Commission, all 19-member localities of the Middle Peninsula Commission must approve this resolution.

Recommendation

Several localities have already considered this joint resolution and voted favorably for King George County's withdrawal. The escrow account will protect the remaining localities from being financially harmed by this action. In the long term, this withdrawal should make additional bed space available to York and other heavy users of the juvenile center. Consequently, I recommend approval of Resolution R00-37 as attached.

Smith/4111

Attachments

- Middle Peninsula Juvenile Detention Commission Map
- Resolution R00-37